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CENTRAL FAX CENTER**FACSIMILE COVER SHEET****OCT 13 2005**

Deliver to: Michael J. Pyzocha, USPTO Art Group: 2137
Facsimile No.: (571) 273-8300 Date: October 13, 2005
From: William W. Schaal, Reg. No. 39,018
Our Docket No.: 42390P8096 Number of pages 14 including this sheet.
Application No.: 09/822,986 Filing Date: 3/30/2001
Docket Due Date(s): 11/23/2005

Enclosed are the following documents:

<input checked="" type="checkbox"/> Amendment: <u>Response</u> (<u>10</u> pgs)	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Appeal Brief (<u> </u> pgs)	<input type="checkbox"/> Notice of Appeal
<input type="checkbox"/> Application: <u> </u> (<u> </u> pgs) w/cover & abstract)	<input type="checkbox"/> Petition for: <u> </u>
<input type="checkbox"/> Assignment & Cover Sheet (<u> </u> pgs)	<input type="checkbox"/> Request for Continued Examination (RCE)
<input checked="" type="checkbox"/> Certificate of <u>Facsimile</u>	<input type="checkbox"/> Reply Brief (<u> </u> pgs)
<input type="checkbox"/> Continued Prosecution Application (CPA)	<input type="checkbox"/> Request & Certification Under 35 USC 122(b)(2)(B)(i)
<input type="checkbox"/> Declaration & POA (<u> </u> pgs)	<input type="checkbox"/> Request to Rescind Previous Nonpublication Request
<input type="checkbox"/> Drawings: <u> </u> sheets, <u> </u> figures	<input type="checkbox"/> Response to Notice of Missing Parts & Formalities Letter
<input type="checkbox"/> Extension of Time: <u> </u>	<input type="checkbox"/> Response to Written Opinion (<u> </u> pgs)
<input checked="" type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Terminal Disclaimer
<input type="checkbox"/> IDS & PTO/SB/08 (<u> </u> pgs)	<input type="checkbox"/> Transmittal of Publication Fee Due
<input type="checkbox"/> Other <u> </u>	<input checked="" type="checkbox"/> Transmittal Letter

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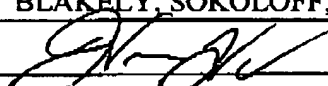
Susan McFarlane 10/13/2005
Susan McFarlane Date

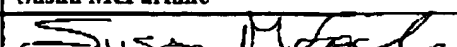
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/822,986
		Filing Date	March 30, 2001
		First Named Inventor	Carl M. Ellison
		Art Unit	2137
		Examiner Name	Michael J. Pyzocha
Total Number of Pages in This Submission	13	Attorney Docket Number	42390P8096

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William W. Schaal, Reg. No. 39,018 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	October 13, 2005

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Typed or printed name	Susan McFarlane		
Signature		Date	October 13, 2005

Based on PTO/SB/21 (04-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 06/04/2004.
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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FEE TRANSMITTAL for FY 2005 <small>Patent fees are subject to annual revision.</small>		Complete if Known	
		Application Number	09/822,986
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.		Filing Date	March 30, 2001
		First Named Inventor	Carl M. Ellison
TOTAL AMOUNT OF PAYMENT (\$) 0.00		Examiner Name	Michael J. Pyzocha
		Art Unit	2137
		Attorney Docket No.	42390P8096

METHOD OF PAYMENT (check all that apply)

- ☐ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): _____
☒ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

- ☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20. ☐ Credit any overpayments

FEE CALCULATION
1. EXTRA CLAIM FEES

Total Claims	22	22	0	50.00	0.00
Independent Claims	3	3	0	200.00	0.00
Multiple Dependent					

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	2202	50	25	Claims in excess of 20
1201	2201	200	100	Independent claims in excess of 3
1203	2203	380	180	Multiple Dependent claim, if not paid
1204	2204	300	160	Reissue independent claims over original patent
1205	2205	300	150	Reissue claims in excess of 20 and over original patent

SUBTOTAL (1) (\$) 0.00

*For number previously paid, if greater, For Reissues, see below

2. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	2051	130	65	Surcharge - late filing fee or oath	
1052	2052	50	25	Surcharge - late provisional filing fee or cover sheet	
2053	2053	130	130	Non-English specification	
1251	2251	120	60	Extension for reply within first month	
1252	2252	450	225	Extension for reply within second month	
1253	2253	1,020	510	Extension for reply within third month	
1254	2254	1,600	785	Extension for reply within fourth month	
1255	2255	2,100	1,080	Extension for reply within fifth month	
1401	2401	600	250	Notice of Appeal	
1402	2402	600	250	Filing a brief in support of an appeal	
1403	2403	1,000	500	Request for oral hearing	
1451	2451	1,510	1,510	Petition to institute a public use proceeding	
1480	2480	130	130	Petitions to the Commissioner	
1807	1807	50	50	Processing fee under 37 CFR 1.17(q)	
1806	1806	180	180	Submission of Information Disclosure Stmt	
1809	1809	790	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	2810	790	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) _____					
SUBTOTAL (2)					(S)

SUBMITTED BY

Name (Print/Type)	William W. Schaaf	Registration No. (Attorney/Agent)	39,018	Telephone	(714) 557-3800
Signature		Date	10/13/05		

Based on PTO/SB/17 (12-04) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 12/15/2004.
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TOTAL AMOUNT OF PAYMENT	(\$)	0.00
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Application Number	09/822,986
Filing Date	March 30, 2001
First Named Inventor	Carl M. Ellison
Examiner Name	Michael J. Pyzocha
Art Unit	2137
Attorney Docket No.	42390P8096

☒ Charge fee(s) indicated below

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(S)

10/13/05

PAGE 4/14 * RCVD AT 10/13/2005 5:07:26 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/31 * DNIS:2738300 * CSID:7145573347 * DURATION (mm-ss):03-46

Appl. No. 09/822,986
Amdt. Dated 10/13/2005
Reply to Office Action August 23, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. : 09/822,986
Applicant : Carl M. Ellison
Filed : 03/30/2001
TC/A.U. : 2137
Examiner : Michael J. Pyzocha

Confirmation No. 8962

Docket No. : 42390P8096
Customer No. : 8791

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

AMENDMENT

Sir:

In response to the Office action of August 23, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.